OIPE JC25
APR 01 2005
PATENT & TRADEMARK OFFICE

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Docket No: Q55331
Toru FUJITA	Allowed: February 08, 2005
Appln. No.: 09/369,424	Group Art Unit: 2624
Confirmation No.: 6768	Examiner: Stephen M. Brinich
Filed: August 6, 1999	

For: IMAGE FORMING APPARATUS AND IMAGE FORMING METHOD USING THE SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of the listed document, JP 7-254412, is submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check for the fee of $180.00 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

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INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 09/369,424

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for a foreign language document, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing the document listed herein. The portion of the Foreign Communication discussing the document listed herein indicates that JP 7-264412 teaches that a test image 2 for measuring tone information of an image forming process is formed when a test printing is performed (cf., paragraphs [0107] - [0121]; and Fig. 7).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

for Timothy P. Cremen
Registration No. 50,855

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: April 1, 2005

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PATENT APPLICATION

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

for Brian Nash #52,359

Timothy P. Cremen
Registration No. 50,855

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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Substitute for Form 1449 A & B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	09/369,424
Confirmation Number	6768
Filing Date	August 06, 1999
First Named Inventor	Toru FUJITA
Art Unit	2624
Examiner Name	Stephen M. Brinich
Attorney Docket Number	Q55331

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number: Number	Document Number: Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3]	Foreign Patent Document: Number[4]	Foreign Patent Document: Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation[6]
		JP	7-264412				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1]Applicant's unique citation designation number (optional). [2]See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to indicate here if English language Translation is attached.